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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
3592,229	10/20/2000	HIDEKI SUGIYAMA	35.C14890	6679

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

PHAN, RAYMOND NGAN

ART UNIT PAPER NUMBER

2181

DATE MAILED: 05/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/692,229

Applicant(s)

SUGIYAMA, HIDEKI

Examiner

Raymond Phan

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

Art Unit: 2181

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This application has been examined. Claims 1-20 are pending.
2. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2181.

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mitsuhashi (US No. 6,320,667).

In regard to claims 1, 6, 11, 16, Mitsuhashi discloses an information processing apparatus which is connected to a plurality of printers through a network designates a specific printer from the plurality of printers, and transmits print data to the designated printer comprising intermediate data generating means for receiving a drawing function (i.e. GDI) which is formed by an OS on the basis of a draw command from an application and generating intermediate data on the basis of the drawing function (see col. 9, line 49 through col. 10, line 24); print condition obtaining means for obtaining print condition to print a print job of the intermediate data (see col. 11, line 55 through col. 12, line 13); search condition transmitting means for transmitting the print conditions as search condition of the printer to the search server (see col. 14, line 59 through col. 15, line 10); selecting means for selecting printer to which the intermediate data should be outputted on the basis of device designation information which is obtained from the search server in accordance with the search conditions (see col. 11, line 55 through col. 12, line 13); and intermediate data output means for outputting the intermediate data to a graphic engine of the OS so as to transfer the drawing function to a printer driver corresponding to the selected printer (see col. 10, lines 5-56).

In regards to claims 2, 7, 12, 17, Mitsuhashi discloses wherein the intermediate data output means converts the intermediate data into a draw command which can be interpreted by the graphic engine of the OS and outputs the converted draw command to the graphic engine (see col. 9, lines 6-39).

In regard to claims 3, 8, 13, 18, Mitsuhashi discloses wherein the intermediate data output means designates the printer driver to which the drawing

function should be outputted when the draw command is outputted to the graphic engine (see col. 10, lines 5-38).

In regard to claims 4, 9, 14, 19, Mitsuhashi discloses wherein the print condition obtaining means obtains the print conditions from the intermediate data and the print setting of the print job (see col. 11, line 55 through col. 12, line 20).

In regard to claims 5, 10, 15, 20, Mitsuhashi discloses wherein the print conditions include function information of the devices connected to the network (see col. 12, lines 22-54).

Examiner suggests the applicant(s) to carefully study the entire teachings of Mitsuhashi reference. Examiner relies on the entire teachings of reference.

### ***Conclusion***

6. All claims are rejected.

7. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

**Yacoub (US No. 6,552,813)** discloses a directing print jobs in a network printing system.

**Cohen et al. (US No. 6,356,355)** disclose a method and apparatus in a data processing system for generating metadata streams with per page data.

**Yacoub (US No. 6,452,692)** discloses a networked printer server.

**Takeda (US No. 6,256,750)** discloses a information processing apparatus network printing system, its control, method, and storage medium storing program.

**Wanda (US No. 6,474,881)** discloses a information processing apparatus network printing system, its control, method, and storage medium storing program.

**Teeuwen et al. (US Pub No. 2001/0038462)** disclose an interactive printing with a plurality of printer devices.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RP

**Raymond Phan**  
5/14/03

Paul R. Myers

**PAUL R. MYERS**  
**PRIMARY EXAMINER**